UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
	10/520,797	PICON ET AL.
Office Action Summary	Examiner	Art Unit	
	Ashraf Zahr	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *1/10/2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 January 2005* is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date *1/10/05, 11/14/06*.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-8 are pending in this application. Claim 1, is an independent claim. The

two IDS dated 1/10/05 and 11/14/06 have been received and reviewed.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

3.   Claim 3 recites the limitation ""if a hidden file exists and if the selected file is a

shortcut file, deleting the shortcut file and updating the hidden file accordingly" in Claim

1. There is insufficient antecedent basis for this limitation in the claim. Specifically,

there is no hidden file in a folder with a shortcut file. The hidden file exists only where

there is a normal file with a hidden file pointing to shortcut files.

Claim Rejections - 35 USC § 101

4.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

5.   Claim 7 is rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

Regarding Claim 7, applicant claims a computer program product which is not

defined in the specification. This claim is being interpreted as claiming software per se

and therefore is non-statutory.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bolosky, US 6,477,544 (Hereinafter, Bolosky).

Regarding Claim 1, Bolosky discloses, "a method for managing data using a file

name on a computer system having a graphical user interface and a file system storing

files with a file hierarchy, the method comprising the steps of: entering a command from

an application to create a file". Specifically, a user via a SIS Copyfile request may

request that a source file be copied to a destination file (Bolosky, col 5, ln 47-49).

Bolosky also discloses, "allowing a user to select at least one folder".

Specifically, Bolosky discloses a file server may place links for many client user on each

user's private directory (Bolosky, col 5, ln 61-63).

Bolosky also discloses, "saving data in a first file having a file name in one selected folder". Specifically, Bolosky discloses, the SIS_COPYFILE request 60 to the SIS facility 62 normally results in a single instance representation of the original source file data with links thereto, each link corresponding to the source and destination files, respectively (Bolosky, col 5, ln 56-58).

Bolosky also discloses, "in each of the other selected folders, creating a shortcut file having the same file name and containing a pointer to the first file". Specifically, Bolosky discloses a file server may place links for many client user on each user's private directory (Bolosky, col 5, ln 61-63).

Bolosky also discloses, "creating a hidden file in the folder containing the first file, the hidden file containing a list of pointers to the shortcut files". Specifically, Bolosky discloses a common store file that includes file data and a backpointer stream that is preferably hidden to users (Bolosky, Fig 2B, Col 6, ln 27-35).

Bolosky also discloses, "using the hidden file during file management operations to keep track of occurrences of the shortcut files in the file hierarchy". Specifically, Bolosky also discloses that link files and user files are managed by the SIS facility (Bolosky, col 6, ln 33-35).

Bolosky does not specifically disclose, "displaying the file hierarchy". However as the spec points out in the background of the invention ¶1, "Every operating system includes a file system to manage data files. An API is provided by the operating system to develop applications providing an interface to the user to manage his own files. A

typical application is a file manger to create, move, copy, delete, and rename files...". It would be obvious to one of ordinary skill in the art to provide a file manager for the file system in Bolosky. The motivation to do so would be to provide "a friendly graphical user interface" (Background of the Invention, ¶1).

Regarding Claim 2, Bolosky also discloses, "the method of claim 1 further comprising the steps of: entering a command from an application to open a file". Specifically, Bolosky discloses an open request in the form of an IRP (Bolosky, col 8, ln 52-53).

Bolosky also discloses, "selecting a file having the file name of the first file". Specifically, the request has the name of the file being requested (Bolosky, col 8, ln 52-53).

Bolosky also discloses, "if the file to be opened is not a shortcut file, opening the first file". Specifically, the SIS filter 62' opens the common store file 68 identified in the reparse point if the common store file 68 is not already open, and reads the signature therein (Bolosky, col 9, ln 30-33).

Bolosky also discloses, "if the file to be opened is a shortcut file, pointing to and opening the first file". Specifically, the SIS filter 62' opens the common store file 68 identified in the reparse point if the common store file 68 is not already open, and reads the signature therein (Bolosky, col 9, ln 30-33).

Bolosky does not specifically disclose, "displaying the file hierarchy" and selecting one of the at least one folder". However as the spec points out in the

background of the invention ¶1, "Every operating system includes a file system to

manage data files. An API is provided by the operating system to develop applications

providing an interface to the user to manage his own files. A typical application is a file

manger to create, move, copy, delete, and rename files...". It would be obvious to one

of ordinary skill in the art to provide a file manager for the file system in Bolosky. The

motivation to do so would be to provide "a friendly graphical user interface" (Background

of the Invention, ¶1).

Regarding Claim 3, Bolosky also discloses, "the method of claim 1 further

comprising the steps of: entering a command from an application to delete a file".

Specifically, Bolosky discloses there is shown a process employed by SIS after a link

file is deleted (e.g., by file I/O) (Bolosky, col 13, ln 27-30).

Bolosky also discloses, "selecting the file having the file name". Specifically, a

file must be inherently selected in order to be deleted (Bolosky, col 13, ln 27-30).

Bolosky also discloses, "if a hidden file does not exist, deleting the selected file".

Specifically, step 1208 deletes the common store file when the backpointer stream is

both empty and trusted, thereby reclaiming the disk space (Bolosky, col 13, ln 1-3).

Bolosky also discloses, "if a hidden file exists and if the selected file is a shortcut

file, deleting the shortcut file and updating the hidden file accordingly". Specifically,

when a SIS link is deleted or reconverted to a regular file, the common store file 68

corresponding to that SIS link file is not necessarily deleted because other links may be

pointing to that common store file 68. Thus, at step 1202, the backpointer stream 94 is

evaluated to determine if the deleted backpointer was the last backpointer remaining in

the stream, i.e., there are no more backpointers (Bolosky, col 13, ln 30-37).

Bolosky also discloses, "if a hidden file exists and if the selected file is not a

shortcut file, replacing one of the shortcut files by the selected file, updating the hidden

file accordingly, moving the hidden file into the folder of the replaced shortcut file and

deleting the selected file". Specifically, If it is not the last backpointer, then there is at

least one other link file pointing to the common store file 68, the common store file 68 is

thus still needed, and the process ends. In this manner, logically independent links to

the common store file are again supported, as deleting one link file does not affect any

other link file (Bolosky, col 13, ln 37-42).

Bolosky does not specifically disclose, "displaying the file hierarchy and selecting

one of the at least one folder". However as the spec points out in the background of the

invention ¶1, "Every operating system includes a file system to manage data files. An

API is provided by the operating system to develop applications providing an interface

to the user to manage his own files. A typical application is a file manger to create,

move, copy, delete, and rename files...". It would be obvious to one of ordinary skill in

the art to provide a file manager for the file system in Bolosky. The motivation to do so

would be to provide "a friendly graphical user interface" (Background of the Invention,

¶1).

Regarding Claim 4, Bolosky does not specifically disclose, "the method of claim

3 further comprising the steps of: if a hidden file exists: displaying a button to delete

the selected file from all folders containing a file having the same file name". Every

operating system includes a file system to manage data files. An API is provided by the

operating system to develop applications providing an interface to the user to manage

his own files. A typical application is a file manger to create, move, copy, delete, and

rename files...". It would be obvious to one of ordinary skill in the art to provide a file

manager for the file system in Bolosky. The motivation to do so would be to provide "a

friendly graphical user interface" (Background of the Invention, ¶1).

Bolosky also discloses, "if the button is selected, deleting the selected file and all

the other shortcut files or non-shortcut file having the same file name and belonging to

other folders". Specifically, when a SIS link is deleted or reconverted to a regular file,

the common store file 68 corresponding to that SIS link file is not necessarily deleted

because other links may be pointing to that common store file 68. Thus, at step 1202,

the backpointer stream 94 is evaluated to determine if the deleted backpointer was the

last backpointer remaining in the stream, i.e., there are no more backpointers (Bolosky,

col 13, ln 30-37).

Regarding Claim 5, Bolosky also discloses "the method of claim 1 further

comprising the steps of: entering a command from an application to move a file".

Specifically, the file name is inherently selected in the copyfile request (Bolosky, col 5,

ln 47-49).

Bolosky also discloses, "selecting a file having the file name". Specifically, the

file name is inherently selected in the copyfile request (Bolosky, col 5, ln 47-49).

Bolosky also discloses, "selecting a target folder". Specifically, the file name is inherently selected in the copyfile request (Bolosky, col 5, ln 47-49).

Bolosky also discloses, "if a hidden file does not exist, moving the selected file". Specifically, if the source file 64 is not a SIS link, step 402 branches to step 404 where the contents of the source file 64 are copied as file data 76 to a newly allocated file in the common store 78, i.e., the SIS common store file 68 (FIG. 2A) (Bolosky, col 7, ln 27-30).

Bolosky also discloses, "if a hidden file exists and if the selected file is a shortcut file, moving the shortcut file and updating the hidden file accordingly". Specifically, step 410 represents the adding of identifiers of any new link files (via conversion, step 406 or creation, step 408) to the backpointer stream 94 maintained in the common store file (Bolosky, col 8, ln 37-42).

Bolosky also discloses, "if a hidden file exists and if the selected file is not a shortcut file, moving the file to the target folder, updating the hidden file accordingly, and moving the hidden file to the target folder.

Bolosky does not specifically disclose, "displaying the file hierarchy and selecting one of the at least one folder". However as the spec points out in the background of the invention ¶1, "Every operating system includes a file system to manage data files. An API is provided by the operating system to develop applications providing an interface to the user to manage his own files. A typical application is a file manger to create, move, copy, delete, and rename files...". It would be obvious to one of ordinary skill in the art to provide a file manager for the file system in Bolosky. The motivation to do so

would be to provide "a friendly graphical user interface" (Background of the Invention,

¶1).

Regarding Claim 6, Bolosky also discloses, "the method of claim 1 further

comprising the steps of: entering a command from an application to copy a file".

Specifically, in FIG. 2A, a user, via a SIS copy file request 60 to a SIS facility 62, may

explicitly request that a source file 64 be copied to a destination file 66 as a SIS copy of

the file. Specifically, a user via a SIS Copyfile request may request that a source file be

copied to a destination file (Bolosky, col 5, ln 47-49).

Bolosky also discloses, "selecting a file having the file name". Specifically, the

file name is inherently selected in the copyfile request (Bolosky, col 5, ln 47-49).

Bolosky also discloses, "selecting a target folder". Specifically, the target folder

is inherently selected in the copyfile request (Bolosky, col 5, ln 47-49).

Bolosky also discloses, "if a hidden file does not exist, copying the selected file".

Specifically, if the source file 64 is not a SIS link, step 402 branches to step 404 where

the contents of the source file 64 are copied as file data 76 to a newly allocated file in

the common store 78, i.e., the SIS common store file 68 (FIG. 2A) (Bolosky, col 7, ln

27-30).

Bolosky also discloses, "if a hidden file exists, creating in the target folder a

shortcut file of the selected file and updating the hidden file accordingly". Specifically,

step 410 represents the adding of identifiers of any new link files (via conversion, step

406 or creation, step 408) to the backpointer stream 94 maintained in the common store

file (Bolosky, col 8, ln 37-42).

Bolosky also discloses, "displaying the file hierarchy and selecting one of the at

least one folder". However as the spec points out in the background of the invention ¶1,

"Every operating system includes a file system to manage data files. An API is provided

by the operating system to develop applications providing an interface to the user to

manage his own files. A typical application is a file manger to create, move, copy,

delete, and rename files...". It would be obvious to one of ordinary skill in the art to

provide a file manager for the file system in Bolosky. The motivation to do so would be

to provide "a friendly graphical user interface" (Background of the Invention, ¶1).

Regarding Claim 7, applicant claims a "computer program product comprising

programming code instructions adapted for executing the steps of the method according

to claim 1 when the program product is executed in a computer". This claim is

substantially similar to claim 1 and is therefore rejected based upon the same reasoning

used to reject clam 1.

Regarding Claim 8, applicant claims "a computing system comprising means

adapted for executing the computer program of claim 7". This claim is substantially

similar to claim 1 and is therefore rejected based upon the same reasoning used to

reject clam 1.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gasser, US 6,636,250: Methods and Apparatus For Presenting Information to a User of a Computer System

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashraf Zahr whose telephone number is 571-270-1973. The examiner can normally be reached on M-F 9:30 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AAZ
12/14/2007

BA HUYNH
PRIMARY EXAMINER